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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92047581
Party	Defendant Mor-Nutech, Inc.
Correspondence Address	Ellen P. Winner Greenlee, Winner & Sullivan, P.C. 4875 Pearl East Circle, Suite 200 Boulder, IN 80301 UNITED STATES winner@greewin.com
Submission	Stipulated/Consent Motion to Extend
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Date	07/31/2007
Attachments	320-003_Second_Ext_Req_Canc_proceeding.pdf ( 3 pages )(94290 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

ACTIBIOL, S.A.

Petitioner,

v.

MOR-NUTECH, INC.

Registrant.

Cancellation No. 92047581

Trademark: CAPSOL-T

Registration No.: 3,149,821

**SECOND MOTION FOR EXTENSION OF TIME TO ANSWER PETITION FOR  
CANCELLATION AND RESPOND TO INTERROGATORIES AND  
PETITIONER’S FIRST REQUEST FOR ADMISSIONS AND PRODUCTION OF  
DOCUMENTS AND THINGS AND MOTION FOR RESCHEDULING OF DISCOVERY  
AND TESTIMONY PERIODS**

REGISTRANT, Mor-NuTech, Inc., moves for an extension of time until October 9, 2007 to Answer the Petition for Cancellation, and for an extension of time until October 27, 2007 to respond to Interrogatories and Petitioner’s First Request for Admissions and Production of Documents and Things.

In addition, Registrant moves for a three-month extension of the discovery and testimony periods so that they be rescheduled as follows:

Period for Discovery to Close	3/16/08
30-day Testimony Period for Party in position of Plaintiff to close	6/15/08
30-day Testimony Period for Party in position of Defendant to close	8/14/08
15-day Rebuttal Testimony Period For Party in position of Plaintiff to close	9/28/08

The Attorney for Petitioner has consented to these extensions.

In support of this Motion, Registrant states that it has been notified that Petitioner requires additional time in which to respond to settlement terms proposed to Petitioner and additional time is needed for settlement negotiations. This Motion is timely filed and is made in good faith and not for purposes of unreasonable delay.

WHEREFORE, Registrant, Mor-NuTech, Inc., respectfully requests an extension time until October 9, 2007 to file an Answer and until October 27, 2007 to respond to Interrogatories and Petitioner's First Request for Admissions and Production of Documents and Things; and further requests that discovery and testimony deadlines be extended for a period of three months.

Respectfully submitted,

/ellenwinner/

Ellen P. Winner  
Attorney for Registrant,  
Mor-NuTech, Inc.

## **CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2007, a true and correct copy of the foregoing is being provided to counsel for Petitioner by first class mail as follows:

**Gary J. Nelson**  
**Tiffany A. Parcher**  
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Attorney docket No. 320-003  
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